
Introduced by Senator Runner

February 8, 2005

An act to add Section 4011.10 to the Penal Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

SB 159, as introduced, Runner. Inmates: health care services.

Existing law authorizes the Department of Corrections and the Department of the Youth Authority to contract with providers of emergency health care services. Existing law specifies that hospitals and ambulance or other nonemergency response services that do not contract with those departments shall provide those services at the Medicare rate. Existing law authorizes those departments to work with the State Department of Health Services in obtaining hospital cost information in order to establish allowable costs under those provisions.

This bill would apply these provisions to county sheriffs and chiefs of police.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4011.10 is added to the Penal Code, to
- 2 read:
- 3 4011.10. (a) Notwithstanding any other provision of law, a
- 4 county sheriff or police chief may contract with providers of
- 5 emergency health care services. Hospitals that do not contract
- 6 with the sheriff or police chief for emergency health care services
- 7 shall provide these services to their departments on the same

1 basis as they are required to provide these services pursuant to
2 Section 489.24 of Title 42 of the Code of Federal Regulations.
3 No sheriff or police chief shall reimburse a hospital that provides
4 these services, and that their department has not contracted with,
5 at a rate that exceeds the hospital's reasonable and allowable
6 costs, regardless of whether the hospital is located within or
7 outside of California.

8 (b) An entity that provides ambulance or any other emergency
9 or nonemergency response service to a sheriff or police chief,
10 and that does not contract with their departments for that service,
11 shall be reimbursed for the service at the rate established by
12 Medicare. Neither the sheriff nor the police chief shall reimburse
13 a provider of any of these services that their department has not
14 contracted with at a rate that exceeds the provider's reasonable
15 and allowable costs, regardless of whether the provider is located
16 within or outside of California.

17 (c) Each sheriff or police chief shall work with the State
18 Department of Health Services in obtaining hospital cost
19 information in order to establish the costs allowable under this
20 section. The State Department of Health Services may provide a
21 sheriff or police chief with hospital cost information that the
22 State Department of Health Services obtains pursuant to Sections
23 14170 and 14171 of the Welfare and Institutions Code.

24 (d) For the purposes of this section, "reasonable and allowable
25 costs" shall be defined in accordance with Part 413 of Title 42 of
26 the Code of Federal Regulations and federal Centers for
27 Medicare and Medicaid Services Publication Numbers 15.1 and
28 15.2.